

From: Mugdan, Walter

Sent: Friday, July 28, 2017 2:57 PM

To: Wilson, Eric <Wilson.EricJ@epa.gov>; Flanagan, Sarah <Flanagan.Sarah@epa.gov>; Prince, John <Prince.John@epa.gov>; Yeh, Alice <Yeh.Alice@epa.gov>; Sivak, Michael <Sivak.Michael@epa.gov>; Fajardo, Juan <Fajardo.Juan@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; DeLuca, Kathryn <deluca.kathryn@epa.gov>; Schaaf, Eric <Schaaf.Eric@epa.gov>; Carpenter, Angela <Carpenter.Angela@epa.gov>

Subject: FYI re: Passaic

Mike Anderson of Glenn Springs Holdings called me today. He called to let me know that the company will shortly be sending a letter to Eric Wilson regarding the cashout settlement proposal we are currently working on. Occi is concerned that the process will release some PRPs prematurely. He then clarified that the only PRP of real concern to Occi is Alcan (now Novellis?). Occi believes there is more information that can be gathered about Alcan's potential responsibility. Occi believes Alcan was the source of PAHs and other contaminants, through five discharge points. Core sampling has shown mercury as well. [I assume, but did not ask, that these cores are somehow associated with Alcan's discharge locations.] Occi believes a cashout for Alcan/Novellis is premature. He noted that our respective lawyers have been discussing this issue. He reaffirmed that partnership with EPA is Occi's ongoing goal, but the company feels it has to protect its interests in this matter. That might include a challenge to the proposed settlement, if necessary ... which he hopes it will not be.

I thanked him for the notification call, and mentioned that I expected to meet with the Passaic team next week, when I would be updated about the enforcement process.

I then mentioned the upcoming meeting/conference call that Jane Kenny has requested. He said that he and Jane would be present in person for the meeting, and several others would be on the phone. Among these will be Frank Parisi (sp?), an Occi attorney. [Accordingly, we will want ORC participation at the meeting.] He did confirm that the purpose of the meeting was just a routine "check in." He said Occi continues to feel that our working relationship is a strong one. (He noted, in particular, that working with Alice is "a pleasure," but of course that is not a surprise.)